UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT

: Kenneth G. McKee

INVENTION

: Caulking Tube Sealing Cap

SERIAL NUMBER

: 10/828,392

FILING DATE

: Apr. 19, 2004

EXAMINER

: Nicolas, Frederick C.

GROUP ART UNIT

: 3754

OUR FILE NO.

: 2617U.001

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Commissioner for Patents P.O. Box 1430, Alexandria, VA 22313-1450 on ____/2

TO:

Commissioner for Patents P.O. Box 145 Alexandria, VA 22313-1451

RESPONSE TO OFFICE ACTION OF Sep. 15, 2004

Sir:

In response to the Office Action dated Sep. 15, 2004 having a shortened statutory period for response set to expire Dec. 15, 2004, kindly amend the above-entitled application as follows, no new matter is added.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.